

**FILED
UNDER
SEAL**

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Rev. March 2017

**United States District Court
for
the District of Nevada**

**PETITION FOR WARRANT
FOR OFFENDER UNDER SUPERVISION**

Name of Offender: **Leonard Earl Russell**

Case Number: **2:13CR00326**

Name of Sentencing Judicial Officer: **Honorable James C. Mahan**

Date of Original Sentence: **October 23, 2014**

Original Offense: **Felon in Possession of a Firearm**

Original Sentence: **86 Months prison, followed by 36 Months TSR.**

Date Supervision Commenced: **September 30, 2019**

Name of Assigned Judicial Officer: **Honorable James C. Mahan**

PETITIONING THE COURT

To issue a warrant.

The probation officer believes the offender has violated the following condition(s) of supervision:

1. **Shall Not Illegally Possess Controlled Substance** - The defendant shall not illegally possess a controlled substance.
 - A. On February 16, 2021, Russell submitted a drug test at the Residential Reentry Center that presumptively tested positive for Spice. On March 1, 2021, the result of that test was received which yielded a positive result for Spice. On March 3, 2021, Russell admitted in writing to the use of Spice on or around February 16, 2021.
 - B. Russell admitted in writing to the use of methamphetamine and marijuana on or about March 2, 2021.

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2. **Reside in a Residential Re-entry Center** - You shall reside at and participate in the program of a residential re-entry center for a period of up to 90 days as approved and directed by the probation officer.

On March 2, 2021, the undersigned officer was notified that Russell would be discharged from the Residential Reentry Center due to his use of Spice on or about February 16, 2021.

U.S. Probation Officer Recommendation:

The term of supervision should be:

Revoked

I declare under penalty of perjury that the information contained herein is true and correct,

Executed on March 4, 2021

Digitally signed
by Brianna King
Date: 2021.03.08
08:21:22 -08'00'

Brianna King
United States Probation Officer

Approved:

Digitally signed by



Brian Blevins

Date: 2021.03.05

15:00:17 -08'00'

Brian Blevins

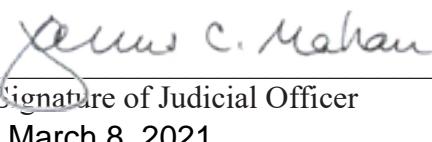
Supervisory United States Probation Officer

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THE COURT ORDERS

- No Action.
- The issuance of a warrant.
- The issuance of a summons.
- Other:



Signature of Judicial Officer

March 8, 2021

Date

RE: Leonard Earl Russell

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UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA
UNITED STATES V. LEONARD EARL RUSSELL, 2:13CR00326

SUMMARY IN SUPPORT OF PETITION FOR WARRANT
March 4, 2021

On October 23, 2014, Russell was sentenced by your Honor to 86 months custody, followed by three years of supervised release for committing the offense of Felon in Possession of a Firearm. Supervised release commenced on September 30, 2019, in the District of Nevada.

On June 26, 2020, a petition for a summons was submitted to Your Honor detailing violations of supervised release for his commission of committing new crimes, to wit: Trafficking in Controlled Substance NRS 435.3385 (methamphetamine), and Possession or Use of Drug Paraphernalia NRS 435.554 (case number 20CR009661); also for his failure to report change of residence or employment; for his unlawful use of a controlled substance; and for his failure to report law enforcement Contact. On July 30, 2020, an addendum was submitted to the court detailing the commission of committing yet other new crimes, to wit: Possession Schedule I, II, first or second, in violation of NRS 453.336.2A, and Possession of Schedule I, II, in violation of NRS 453.336.2D (Case number: 20CR011066). On December 14, 2020, Russell attended an initial appearance via summons. At the time of the initial appearance, Russell had tested positive for COVID-19, and as such, he could not secure a bed in the Residential Reentry Center (RRC) until he was no longer infected. Of note: Justice Court case number 20CR009661 was denied prosecution on August 14, 2021.

Additionally, at the time of his Initial Appearance, Russell had an active bench warrant for his arrest based upon pending state case number 20CR011066, which is the basis for the allegation noted in the addendum submitted to the Court on July 30, 2020. On January 4, 2021, Clark County Justice Court Judge Amy Chelini advised the undersigned officer that Russell was arrested on the outstanding bench warrant for his Failure to Appear. On January 27, 2021, Russell was released from state custody with the understating he would likely remain at the RRC pending adjudication of his Justice Court case. A status check is set for this case on May 12, 2021.

On February 3, 2021, a request for modification of the addition of up to 90 days in the RRC was submitted to the court. Your Honor concurred with the request and Russell reported to the RRC on February 9, 2021.

On February 16, 2021, Russell submitted a drug test at the RRC. The results of that drug test were received on March 1, 2021, which yielded a positive result for Spice. Subsequent to the positive result for Spice, Russell was directed to report to the probation office on March 3, 2021.

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On March 3, 2021, Russell reported to the probation office as requested and admitted in writing to the use of Spice on or around February 16, 2021. During this visit, the undersigned officer noticed that Russell's eyes appeared bloodshot. When questioned about the appearance of his eyes, Russell became nervous and advised that he was sleeping prior to reporting to the probation office; however, Russell had spoken to the undersigned officer earlier in the day. Due to the inconsistency in Russell's story, blood shot eyes, and nervous behavior, Russell was asked to provide a drug test at the probation office. Russell provided a drug test which yielded a positive result for methamphetamine and marijuana. Subsequent to the positive drug test, Russell admitted in writing to the use of methamphetamine and marijuana on or around March 2, 2021. Russell is currently pending discharge from the RRC due to the above drug use.

On February 25, 2021, a substance abuse treatment referral was sent to Bridge Counseling requesting an assessment for Russell. A date and time for the assessment is yet to be determined.

Russell resumed using illegal substances only seven days after entering the RRC and has continued illegal drug use throughout his stay, which is a violation of the program rules.

It should be noted that Russell was previously placed on house arrest as a condition of release pending the adjudication of Justice Court case number 20CR011066. Russell absconded from the house arrest program on three occasions resulting in a Failure to Appear warrant to be issued. Given this information, it is believed that Russell is not only a danger to the community, but also a risk of flight as he will be discharged from the RRC for program failure.

It is respectfully requested a warrant be issued for Russell's arrest to ensure appearance at his revocation hearing on March 19, 2021, and to ensure community safety.

Respectfully submitted,

Digitally signed
by Brianna King

Date: 2021.03.08
08:22:38 -08'00'

Brianna King
United States Probation Officer

Approved:

Digitally signed by
Brian Blevins

Date: 2021.03.05
15:00:46 -08'00'

Brian Blevins
Supervisory United States Probation Officer